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14 **UNITED STATES DISTRICT COURT**

15 **FOR THE DISTRICT OF NEVADA**

16 JASON R. HILL, an individual,

17 Case No.: 2:25-cv-00214-GMN-BNW

18 Plaintiff,

19 vs.

20 STARPOINT RESORT GROUP, INC., a
 21 Nevada Corporation,

22 Defendant.

**STIPULATED DISCOVERY PLAN AND
SCHEDULING ORDER SUBMITTED IN
COMPLIANCE WITH
L.R. 26-1(b)**

23 Plaintiff Jason R. Hill (“Plaintiff”) and Defendant Starpoint Resort Group, Inc. (“Defendant”), by and through their respective attorneys of record, hereby submit this Stipulated Discovery Plan and Scheduling Order pursuant to Federal Rule of Civil Procedure 26(f) and Local Rule 26-1(b).

24 **I. Procedural History**

25 Plaintiff filed his Complaint in state court on January 31, 2025. (ECF No. 1.) Defendant filed its Answer to Complaint on May 2, 2025. (ECF No. 9.)

26 As of May 29, 2025, the Court has not yet scheduled the Early Neutral Evaluation session.

27 Undersigned counsel conducted a discovery conference pursuant to Fed. R. Civ. P. 26(f) on May 14, 2025.

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1 **II. Fed. R. Civ. P. 26(f) Meeting**

2 On May 14, 2025, Marian Massey, counsel for Plaintiff and Myrra L. Smith, counsel for
 3 Defendant, participated in the Fed. R. Civ. P. 26(f) conference.

4 **III. Initial Disclosures**

5 Pursuant to Fed. R. Civ. P. 26(f)(3)(A), the parties stipulate that there shall be no changes
 6 to the form or requirement for disclosures under FRCP 26(a). The parties have stipulated that
 7 disclosures under FRCP 26(a) shall be due on or before **May 28, 2025**, which is fourteen (14) days
 8 from May 14, 2025, the Rule 26(f) Conference with Defendant's Counsel.

9 **IV. The Subjects on Which Discovery Will Be Conducted**

10 The parties agree that discovery will be needed on the Plaintiff's claims and causes of
 11 action, damages, as well as the Defendant's defenses to the same consistent with the Federal Rules
 12 of Civil Procedure and the Local Rules of this District. The parties may obtain discovery regarding
 13 any non-privileged matter that is relevant to any party's claim or defense and proportional to the
 14 needs of the case subject to the limitations imposed by Rule 26(b)(2).

15 **V. Issues Related to The Disclosure or Discovery Of Electronically Stored Information**

16 The parties believe that this case may involve or require the inspection or production of
 17 some electronically stored information ("ESI"). To the extent a party requests ESI, the parties
 18 agree that the ESI can be produced in paper format, as a readable image (e.g., .pdf, .jpg, or .tiff)
 19 file, or via hard electronic copy (e.g., CD_ROM, DVD, or Dropbox.com) while reserving the right
 20 to seek ESI thereafter if necessary and to the extent readable images are insufficient in establishing
 21 any claims or defenses. If a party later requests the ESI be produced in its native format and/or as
 22 a forensic copy, the parties agree to meet and confer to determine the parameters of the production
 23 and to produce according to the Federal Rules of Civil Procedure and LR 26-1(b)(9).

24 **VI. Issues Regarding Privilege or Protection**

25 The parties agree to be bound by Federal Rule of Evidence 502 regarding the disclosure of
 26 privileged material or work product. Further, the parties acknowledge and agree that while each
 27 taking reasonable steps to identify and prevent the disclosure of any document (or information) that
 28 they believe is privileged, there is a possibility that certain privileged material may be produced

1 inadvertently. Accordingly, the parties agree that a party who produces a document protected from
 2 disclosure by the attorney-client privilege, attorney work product doctrine or any other recognized
 3 privilege (“privileged document”) without intending to waive the claim of privilege associated with
 4 such document may promptly, meaning within fifteen (15) days after the producing party actually
 5 discovers that such inadvertent disclosure occurred, amend its discovery response and notify the
 6 other party that such document was inadvertently produced and should have been withheld. Once
 7 the producing party provides such notice to the requesting party, the requesting party must
 8 promptly, meaning within seventy-two (72) hours, return the specified document(s) and any copies
 9 thereof. By complying with this obligation, the requesting party does not waive any right to
 10 challenge the assertion of privilege and request an order of the Court denying such privilege.

11 **VII. Discovery Disputes**

12 ~~The parties agree that before moving for an order relating to discovery after complying with~~
 13 ~~the Federal Rules of Civil Procedure and applicable Local Rules of this District, the moving party~~
 14 ~~must request a status conference with the Court pursuant to Fed. R. Civ. P. 16(b)(3)(V).~~

15 **VIII. Alternative Dispute Resolution**

16 The parties hereby certify that they have met and conferred about the possibility of using
 17 alternative dispute resolution processes including mediation, arbitration. The parties believe private
 18 mediation may be beneficial, and the parties will meet and confer about it further. As of May 29,
 19 2025, The Court has not yet scheduled the Early Neutral Evaluation.

20 **IX. Alternative Forms of Case Disposition**

21 Pursuant to LR 26-1(b)(7-9), the parties hereby certify that they considered consent to trial
 22 by a magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 and the use of the Short
 23 Trial Program. At this time, the parties do not consent to trial by the magistrate judge or to the use
 24 of the Court’s Short Trial Program. The parties reserve the right to mutually consent to trial by
 25 magistrate judge or to use the Court’s Short Trial Program at a later time, should both parties so
 26 decide.

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1 **X. Electronic Evidence**

2 The parties hereby certify that they discussed whether they intend to present evidence in
 3 electronic format to jurors for the purposes of jury deliberations. Discussions between the parties
 4 will be ongoing as the trial date approaches, and the parties stipulate that they intend to present any
 5 electronic evidence in a format compatible with the court's electronic jury evidence display
 6 system.

7 **XI. Discovery Plan**

8 All discovery in this case will be conducted in accordance with the Federal Rules of Civil
 9 Procedure and applicable Local Rules of this District Court. The parties propose to the Court the
 10 following cut-off dates:

11 **a. Discovery Cut-off Date:** The discovery cut-off deadline shall be **Wednesday, October 29, 2025**, 180 days from the Date of Defendant's Answer in this case, which was filed on May 2, 2025.

14 **b. Amending the Pleadings and Adding Parties:** The deadline to amend pleadings or add parties shall be **Thursday, July 31, 2025**, ninety (90) days prior to the discovery cut-off date.

17 **c. Expert Disclosures:** The expert disclosure deadline shall be **Monday, September 1, 2025**¹, sixty (60) days prior to the discovery cut-off date. Rebuttal expert disclosures shall be made by **Wednesday, October 1, 2025**, thirty (30) days after the initial disclosure of experts.

20 **d. Dispositive Motions:** Dispositive motions shall be filed by **Friday, November 28, 2025**, which is thirty (30) days after the discovery cut-off date.

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 27 ¹Pursuant to FRCP 6(a)(1)(C), if the last day is a Saturday, Sunday, or legal holiday, the period
 28 continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday. Here,
 the expert disclosure deadline would be Saturday, August 30, 2025, therefore, pursuant to FRCP
 6(a)(1)(C), the expert disclosure deadline is Monday, September 1, 2025.

1 e. **Pretrial Order:** The Pretrial Order shall be filed not later than **Monday,**
2 **December 29, 2025**², thirty (30) days after the deadline for filing dispositive motions date. In the
3 event dispositive motions have been filed, the Pretrial Order shall be suspended until thirty (30)
4 days after a decision of the dispositive motions or further order of the Court.

5 f. **Fed. R. Civ. P. 26(a)(3) Disclosures:** The pretrial disclosures required by Fed. R.
6 Civ. P. 26(a)(3), and any objections thereto, shall be included in the final pretrial order in
7 accordance with LR 26-1(b)(6).

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²Pursuant to FRCP 6(a)(1)(C), if the last day is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday. Here, the Pre-Trial Order deadline would be Sunday, December 28, 2025, therefore, pursuant to FRCP 6(a)(1)(C), the Pre-Trial Order deadline is Monday, December 29, 2025.

1 **XII. Extensions or Modifications of the Discovery Plan and Scheduling Order**

2 In accordance with LR 26-4, any motion or stipulation to extend a deadline set forth in this
 3 discovery plan and scheduling order shall be received by the Court no later than twenty-one (21)
 4 days before the expiration of the subject deadline. A request made within 21 days of the subject
 5 deadline will be supported by a showing of good cause. Any stipulation or motion will comply
 6 fully with LR 26-4.

7 DATED this 29th day of May, 2025.

8 GREENBERG GROSS LLP

9 /s/ *Marian L. Massey*

10 Jemma E. Dunn
 11 Nevada Bar No. 16229
 12 Matthew T. Hale
 13 Nevada Bar No. 16880
 14 Michael A. Burnette
 15 Nevada Bar No. 16210
 16 Marian L. Massey
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 18 1980 Festival Plaza Drive, Suite 730
 19 Las Vegas, NV 89135

20 *Attorneys for Plaintiff*

7 DATED this 29th day of May, 2025.

8 OGLETREE, DEAKINS, NASH, SMOAK & STEWART,
 9 P.C.

10 /s/ *Myrra Smith*

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20 *Attorneys for Defendant Starpoint Resort Group,
 21 Inc.*

19 **ORDER**

20 IT IS SO ORDERED.



21
 22 UNITED STATES MAGISTRATE JUDGE

23 June 2, 2025

24 DATE